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THE FIRST LINE OF NATIONAL DEFENSE

BY PERRY BELMONT

THAT the Department of State and its representatives abroad should be viewed as an important part of the national defense is well illustrated in the proposition long advocated by naval and military authorities, and adopted, in general terms, by the Democratic Party platform at the Baltimore National Convention of 1912. The Council of National Defense, as proposed, should include the Secretary of State, the Secretary of War, the Secretary of the Navy, the Chief of Staff of the United States Army, a corresponding officer of the United States Navy; the legislative branch to be represented by the Chairmen of the Senate Committee on Foreign Relations, of the House Committee of Foreign Affairs, of the Military and Naval Committees, and of the Appropriations Committees of both Houses. It is much to be regretted that there has been a failure to carry out this provision of the platform, international events having fully indicated the great services to the country which such a Council might have rendered during the past two years, and might now be rendering. If inexperience should be considered a weakness, then at no period of our history has what might be called our first line of national defense been weaker. This obvious deficiency in heads of departments and other important posts should not be charged against those holding such offices, the appointing power alone being responsible for the selections, which are defended as being the result of political exigencies.

But political exigencies cannot justify a defective appreciation of the country's needs. The issue cannot be evaded on the ground that a successful political party may not have had the experience of power, and that, therefore, no other course was open. If it be granted that a successful political party may be handicapped by the inexperience of power, the

vital interests of the country clearly demand that it should continue in its service, especially in its first line of national defense, those who have proved themselves qualified. To carry the contrary theory to its logical conclusion would tend to destroy wholly the usefulness of the diplomatic service. It is quite true that the appointing power should have liberty of choice in order that a certain policy be carried out or even that a certain political sympathy or party co-operation be rendered possible. The Chief Executive has the unquestioned constitutional power to do this, and, with a view to the welfare of the country, this power may be exercised by the appointment of special ambassadors or special diplomatic agents to meet conditions as they arise. This is as it should be, but such a power should not be exercised to the general detriment of an important branch of the public service in which continuity of service and experience are essential.

The war in Europe has thrust upon our diplomatic and consular officers new duties, quite apart and distinct from their usual functions, in which they have been assisted by officers of the United States Army and Navy, by United States battleships and transports, and by the voluntary co-operation of American citizens. In the performance of these special and unusual duties, unexpectedly required of them, our ambassadors and consular agents have merited the praise so generally bestowed upon them. The care of the interests of a large number of American citizens, who became refugees under the then prevailing conditions, greatly increased their responsibilities. The withdrawal of the diplomatic and consular representatives of the belligerent Governments added enormous burdens. American ambassadors, ministers, and consuls have been obliged to protect the interests of vast numbers of people whose countries were at war with one another.

We should not, however, view such activities as being the usual duties required by the United States Government itself, for which training and experience are necessary. Otherwise, it might as well be claimed that because the commanding officers of American battleships could efficiently manage the transportation of refugees, they should be considered, solely on that account, qualified to take a battleship into action.

In our diplomatic history it has often become the duty of officers of the United States Army and Navy to perform diplomatic functions. Commodores William Bainbridge, John Rodgers, William M. Crane, James Biddle, and David Porter

had the chief part in negotiating our first treaty with the Ottoman Empire, at the beginning of the nineteenth century.¹ This may be considered as laying the foundation for the important share our navy has always had in our diplomatic relations.

Our first treaty with China, the Wang Hiya Treaty, was negotiated by Commodore Parker in 1844. Our treaty with Japan was negotiated by an American naval officer in 1853. One of the most important diplomatic successes of a later period was that secured by Rear-Admiral Benham at Rio in 1894. Another was that of Admiral Dewey at Manila in 1898, when he found himself confronted with a situation of great difficulty, during which he represented the diplomatic interests of the United States in a most effective manner.

Under the last Administration, Captain Constant Cordier, of the Fourth Infantry, during his service as military *attaché* in Ecuador, was intrusted by the Secretary of State, in the disturbances of 1912, with the conduct of negotiations rendering unnecessary the landing of marines for the protection of American lives and property. He received the thanks of the State and Navy Departments.

The most recent and conspicuous illustration of actual conditions is furnished by the fact that the Chief of Staff of the United States Army was able successfully to conduct negotiations in Mexico, where improvised and inexperienced diplomatic agents had failed. It is principally to General Scott that we owe what has been termed "the Border Peace Treaty."

A defense of the present inexcusable conditions was recently made by the Counselor of the State Department. He said, "When it comes to the principal posts abroad, I am strongly opposed to tying the hands of the President, anyway." The truth is that the constitutional powers of the President cannot be restricted. He is the Executive under the Constitution, and has full power to appoint, if he sees fit, with the advice and consent of the Senate, special diplomatic agents or ambassadors. Our Presidents have generally not had much difficulty in finding men qualified for such special duties. Even other Governments in which the large discretionary powers of our Chief Executive do not exist, having the advantage of a permanent diplomatic service, are often represented by ambassadors and diplomatic agents through appointments made outside of the service. The diplomatic service of Great Britain is recognized as being pre-eminent for its excellence. It is

¹ *Diplomatic Negotiations of American Naval Officers, 1778-1883.* Paullin.

permanent in character throughout all its ranks, but that has not prevented such appointments as those of Lord Dufferin, Sir Julian Pauncefote, and Mr. James Bryce—now Viscount Bryce—none of whom belonged to the service when appointed.

Continuity of policy is as essential as continuity of service. If, as a matter of course, a change of party control necessarily means a complete change of policy in our relation with all other Governments, endless confusion inevitably follows. The fact that this seems to have been the guiding theory made it impossible for the opinion of our last ambassador to Mexico to prevail when he, in conjunction with the diplomatic corps in the City of Mexico, recommended that the existing provisional Government and President of Mexico should be recognized. The initial blunder then committed has ever since deeply affected our national interests. It will be fortunate indeed if the smoldering fires then fanned into flame do not burst forth into a general conflagration, involving many Governments as well as our own.

The Counselor of the State Department further went on to say, "If we had obtained all our ambassadors and ministers by promotion, we would not have had such men as Edward J. Phelps or Joseph H. Choate, or men like Myron T. Herrick and Brand Whitlock. Such men, inexperienced in diplomatic practices, but equipped with qualities which command respect and achieve success, are the ones who have brought luster to American diplomacy."

It would seem that consistency should have dictated the retention of Mr. Herrick at his important post in Paris, where he was undoubtedly rendering great services to his country under trying circumstances, his experience constantly adding value to those services.

It is quite true that Mr. Phelps was among the best equipped and successful of the representatives of this Government at the Court of St. James's. He was a trained lawyer of the highest standing, and managed with much skill the delicate "Fisheries Question" then pending. But at the time of these negotiations he told the writer, then chairman of the House Committee of Foreign Affairs, that there was nothing more important to the interests of our Government than the establishment of a permanent diplomatic service. In the army the substitution for a trained commander of an untrained volunteer, securing his appointment by contribution to a party fund or by other

political service, would be unthinkable. The country should be equally intolerant of similar appointments to important diplomatic posts, the first line of national defense.

An awakened public sentiment disapproves the continuance of such conditions. Laws have been enacted by the Congress just adjourned giving effect to that sentiment by granting permanency of tenure to adequately trained men in five classes of the diplomatic service, up to ministers and ambassadors. But the complete freedom possessed by the appointing power in regard to the most important posts still remains uncurbed; although it is obvious that to continue the custom of wholesale substitution of inexperienced and untrained men—whether deserving or undeserving from a party standpoint—for those holding the higher diplomatic positions, is destructive of the purposes of the recent legislation. Our diplomatic service, through favorable legislation in recent years, has developed a number of well-trained and experienced men in the minor positions, who are subjected to severe examinations before appointment. Some of them are now holding the responsible position of First Secretary in our important embassies. That, under the law, they are not entitled to promotion, however deserving, is a discouragement to them and a disadvantage to the Government. The country would have been better served had such promotions been more generally made. This is not only entirely within the power of the Executive, but would have been in accord with the purpose of the legislation referred to.

Senate Document 495 of the second session of the Sixty-second Congress, presented by Senator Hitchcock April 8, 1912, embodies a full history, by the president of the National Publicity Law Association, of the campaign publicity movement from its inception to the enactment of the Federal Campaign Publicity legislation of August 19, 1911. It contains the following passage:

Our country, of course, is free from any such corresponding disadvantage [reference was here made to the sale of "honors" in the form of titles, of which there are well-known instances under the English party system and against which a movement, similar to ours and modeled upon it, has recently been undertaken under the leadership of Mr. Hilaire Belloc], but party managers and the appointing power itself on many occasions have regarded diplomatic posts somewhat in the light of "honors" to be awarded according to a standard no longer approved by public opinion. It is not to be expected that many such instances will occur in the future, under a rapidly progress-

ing improvement in the relation of the appointing power to the public service. An important diplomatic post is, in fact, an honor; it is also a public trust, as are all official positions under our Government. Opportunities to render great service to the country may occasionally arise requiring qualifications on the part of those holding such positions that should furnish the only reason for their appointment.

The Presidential campaign of 1912 was the first to be held under the operation of the Campaign Publicity Law. The purpose of our campaign publicity legislation is not simply to satisfy public curiosity as to the extent of contributions; neither are its objects limited to aid in the enforcement of the previously existing corrupt-practices acts, thereby diminishing corruption during elections, or to weaken and destroy by means of publicity the alliance between favor-seeking corporations and political organizations. These objects have, in great measure, been accomplished, as is evidenced by the returns made under the Federal Publicity Law to Congress and under State publicity legislation to the State Legislatures. It is important to remember that one of the chief purposes of such legislation is to prevent as far as is possible, through publicity, the bartering of public office in recognition of campaign obligations, whether of nomination or election.

That public opinion is strongly sustaining the campaign publicity laws is evident from the experience of a Governor of the State of New York. Though he was one of the earliest advocates of this form of legislation, his disregard of the New York Publicity Statute at the time of his election was seized upon by his political enemies in order to bring about his impeachment and removal from office. He was severely punished for his violation of the letter of the law, with which he should have been familiar; but had he violated its purpose and its spirit by the bartering of public office in reward for personal or political service, such a crime against the interests of the State would have been much graver.

Senate Document 495 contains an article from THE NORTH AMERICAN REVIEW of February, 1905, constituting the first public announcement of the movement to secure national campaign publicity legislation, in which the following passage occurs:

American patriotism is a living reality, and finds expression during national Presidential elections. However great the prosperity of the United States, sentiments and ideals are in the end the most controlling forces.

There is no nation under the sun so moved by idealism as our own, and none that can take so philosophically its failure to achieve ideal ends. The fatal division which rendered Republican success at the last Presidential election almost impossible was accompanied by a feeling often expressed by patriotic Republicans—that a change of party control was likely to be a benefit to the country. Everything contributed to furnish the appointing power with an untrammelled opportunity to place the public service upon the highest plane. The declaration made immediately after the election, that party service would not necessarily be a claim for appointment, was in line with the proclamation of a new freedom from political obligations, and was in accord with the promise of the improvement to be expected.

Party organization is necessary to party government. From that point of view, whatever may be the merits of the spoils system, as applied to the administration of public affairs, reward for party service should be chiefly confined to offices whose function it is to deal with internal or domestic policies. It is not permitted to extend it to the military or naval services of the United States, nor should it affect its diplomatic service—the first line of national defense.

PERRY BELMONT.